

Oct. 22. 2003 4:12PM

No. 4042 P. 1/10

LAW OFFICES  
**Knoble & Yoshida, LLC**  
INTELLECTUAL PROPERTY ATTORNEYS

EIGHT PENN CENTER, SUITE 1350  
1628 JOHN F. KENNEDY BOULEVARD  
PHILADELPHIA, PENNSYLVANIA 19103

(215) 599-0600  
FAX (215) 599-0601

RECEIVED  
CENTRAL FAX CENTER

OCT 22 2003

OFFICIAL

FACSIMILE COVER SHEET

DATE: October 22, 2003

Please deliver this and the following pages, if any, to:

NAME: Technology Center 1600  
COMPANY/FIRM: U.S. Patent and Trademark Office  
TELECOPIER NO.: 703-872-9306  
SENDER'S NAME: Kevin J. Dunleavy, Esq.  
OUR REF.: MTSU-100US  
YOUR REF.: 09/806,925  
NO. OF PAGES: 10  
(INCLUDING COVER SHEET)

COVER MESSAGE:

Kevin J. Dunleavy  
If transmission is not complete, please call (215) 599-0600

The information contained in this transmission may be privileged and/or confidential. If you are not the intended recipient, any copying or use of the information contained herein is prohibited. If you have received this transmission in error, please notify us immediately by fax or telephone. Thank you.

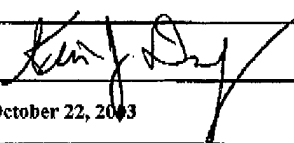


PTO/SB/21 (08-03)  
Approved for use through 07/31/2008. OMB 0551-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/806,925	
	Filing Date	June 20, 2001	
	First Named Inventor	Araki et al	
	Art Unit	1651	
	Examiner Name	Ruth A. Davis	
Total Number of Pages in This Submission		Attorney Docket Number	MTSU-1001US

ENCLOSURES <i>(check all that apply)</i>		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 50px; width: 100%;"></div>
<div style="border: 1px solid black; padding: 5px;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Kevin J. Dunleavy
Signature	
Date	October 22, 2003

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Typed or printed name	Edna Schmittinger		
Signature		Date	October 23, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (08-03)  
Approved for use through 07/31/2006, OMB 0851-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$90.00

## Complete if Known

Application Number 09/806,925  
Filing Date June 20, 2001  
First Named Inventor Araki et al  
Examiner Name Ruth A. Davis  
Art Unit 1651  
Attorney Docket No. MTSU-1001US

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-0462  
Deposit Account Name Knoble & Yoshida

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND

Extra Claims	Fee from below	Fee Paid
Total Claims 30 - 20** = 10 X 9.00 = 90.00		
Independent Claims 2 - 3** = 0 X 43.00 = 0.00		
Multiple Dependent		

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non - English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1462	110	2462	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR § 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Name (Print/Type) Kevin J. Dunleavy  
Signature

Registration No. 32,024  
(Attorney/Agent)

## Complete (if applicable)

Telephone 215-599-0600  
Date October 22, 2003

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Oct.22. 2003 4:13PM

No.4042 P. 4/10

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: ARAKI et al.

Serial No.: U.S. Application No. 09/806,925

Group Art Unit: 1651

Filed: June 20, 2001

Examiner: Ruth A. Davis

For: **PREVENTATIVES OR REMEDIES FOR INFECTION,  
ANTI-ENDOTOXIN AGENTS, VACCINE ADJUVANTS  
AND GROWTH PROMOTERS**

**RECEIVED  
CENTRAL FAX CENTER**

**OCT 22 2003**

Assistant Commissioner of Patents  
Washington, D.C. 20231

**OFFICIAL**

Sir:

**SUPPLEMENTAL AMENDMENT**

Please amend the above-identified application as set forth below.

**Amendments in the Claims** are reflected in the listing of claims that begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.

**CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)**

I hereby certify that this paper, along with any document or paper referred to as being attached or enclosed, is being facsimile transmitted to the U.S. Patent and Trademark Office, Attn. Technology Center 1600, (Fax No. 703-872-9306) on **October 22, 2003**.

Kevin J. Dunleavy

Name of person sending correspondence

Signature of person sending correspondence